

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rutheron & Plaza Blanca

Subfile No. CHRU-003-0001

JOINT MOTION TO VACATE CONSENT ORDER

COME NOW Alfred Q. Peralta and Elizabeth T. Peralta and Norm Vogt (collectively, the Parties), by and through their attorneys, move the Court to vacate the Consent Order filed July 31, 2002 (Doc. No. 6803) in connection with subfile CHRU-003-0001, and in support thereof, state as follows:

1. The Court approved and entered a Consent Order in subfile CHRU-003-0001 between the Alfred Q. Peralta and Elizabeth T. Peralta and the State of New Mexico on July 31, 2002 (Doc. No. 6803).
2. Norm Vogt disputed the Consent Order filed July 31, 2002, in subfile CHRU-003-0001, and filed a Statement of Omitted Claim on July 15, 2004, concerning the water rights under this subfile.
3. The Parties have resolved their dispute and the resolution requires that the Consent Order filed July 31, 2002 be set aside and new consent orders entered reflecting the Parties' agreement.
4. The Parties have signed and approved revised Consent Orders to be filed with the Court.
5. Counsel for the State of New Mexico does not oppose this Joint Motion.

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WHEREFORE, the Parties request the Court vacate the Consent Order filed July 15, 2002 (Doc. No. 6803) in subfile CHRU-003-0001.

Respectfully submitted,

CASSUTT, HAYS & FRIEDMAN, P.A.

By 

Gary S. Friedman, Esq.
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PADILLA LAW FIRM, P.A.

By (Consented to on September 28, 2006)

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*Attorneys for Alfred Q. Peralta and
Elizabeth T. Peralta*

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing were mailed to following on this 2 day of October, 2006:

Special Master Vickie L. Gabin
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